

**CITY OF MUSKEGO
PLAN COMMISSION MINUTES**

approved

6:00 PM Tuesday August 3, 2010

Muskego City Hall, Muskego Room, W182 S8200 Racine Avenue

Mayor Johnson called the meeting to order at 6:00 PM.

Those present recited the Pledge of Allegiance.

PRESENT

Mayor Johnson, Ald. Borgman, Commissioners Burke, Stinebaugh, Jacques, and Noah and Director Muenkel and Recording Secretary McMullen.

ABSENT

Commissioner Hulbert

Recording Secretary McMullen noted that the meeting was properly noticed on July 29, 2010 in accordance with the Open Meeting Law.

APPROVAL OF THE MINUTES OF THE JULY 6, 2010 MEETING Commissioner Stinebaugh made a motion to approve the minutes of the July 6, 2010 meeting. Commissioner Burke seconded. Upon a voice vote, motion to approve the minutes was ADOPTED unanimously.

OLD BUSINESS FOR CONSIDERATION

RESOLUTION #P.C. 052-2010 - Recommendation to Common Council to rezone a property from RS-2 (Suburban Residence) to B-2 (Local Service Center) and also be granted a 2020 Comprehensive Plan Amendment from Medium Density Residential to Commercial for the Casey property located in the NW ¼ of Section 4 (Tax Key No. 2174.991 / S63 W18603 Martin Drive). Director Muenkel noted this item was deferred at the last meeting to look into changing the code to not include taverns in the B-2 zoning district. Director Muenkel explained Planning Commission could pursue changing the code in the future, but this item should be acted on under the current code. The use of the barbershop with a residence on top is a less intense use than in the past. Plan Commission would have the ability to stop a tavern use or put more restrictions on it through the BSO process. Staff is recommending approval.

The petitioner, Dennis Pells, was present to answer any questions. Mr. Pells stated the hours of operation will be Monday – Friday from 9:00 AM to 7:00 PM and Saturdays from 9:00 AM to 5:00 PM. Mr. Pells explained there will be four chairs available in the shop space of 800 sq ft and his daughter will live in the 800 sq ft apartment above. There is no vision for anything more than a barber shop and single family unit.

Commissioner Burke stated he has concerns approving this zoning district because it would also allow taverns, but if the business would only be operating during normal business hours, he would be in favor of it. Commissioner Burke also stated he would like to see changes made to the zoning code to not allow taverns in this zoning district. Upon a roll call vote, Resolution #P.C.052-2010 was ADOPTED unanimously.

OLD BUSINESS SCHEDULED FOR DEFERRAL

None.

CONSENT BUSINESS

None.

NEW BUSINESS FOR CONSIDERATION

RESOLUTION #P.C. 064-2010 - Approval of a Three Lot Certified Survey Map for the Gunther property located in the NW ¼ of Section 14 (Tax Key No. 2214.996.009 / Mystic Drive and Harvest Court). Commissioner Stinebaugh made a motion to ADOPT Resolution #P.C. 064-2010. Commissioner Burke seconded. Director Muenkel explained the land division is located in

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the Mystic Drive – Harvest Court area. There were concerns related to the size of the building pads in lot 1 and 2, but diagrams were submitted that show ample area for a three car garage with a ranch or 2-story building. Upon a roll call vote, Resolution #P.C. 064-2010 was ADOPTED unanimously.

RESOLUTION #P.C. 065-2010 – Approval of an annual review for Schaefer Snowplowing and Grading LLC located in the NW ¼ of Section 29 (W195 S9775 Racine Avenue / Tax Key No. 2274.998). Commissioner Stinebaugh made a motion to ADOPT Resolution #P.C. 065-2010. Commissioner Burke seconded. Director Muenkel explained this is an annual review and there have been issues in the past with outside storage. A recent inspection found the site to be in the best condition ever. A lot of outside storage has been removed and a berm has been built to the east to Racine Avenue. Staff has no issues and recommends approval. Upon a roll call vote, Resolution #P.C. 065-2010 is ADOPTED unanimously.

RESOLUTION #P.C. 066-2010 - Recommendation to Common Council to amend certain sections of the Chapter 17 Zoning Code and Chapter 18 Land Division Code of the City of Muskego. Commissioner Burke made a motion to ADOPT Resolution #P.C. 066-2010. Commissioner Noah seconded. Director Muenkel explained the following code changes:

Chapter 17 Zoning Code

5.02(6) – The separation between buildings must be 10 feet, but can be reduced to 5 feet if building codes are met in relation to firewalls.

15.05(8)- Fences cannot be an excess of 6 feet in height from grade. If the fence is on a berm there must be a 4-foot horizontal to 1- foot vertical slope with a level area on each side of the fence that is at least 2-feet wide.

6.02(6) – State Statutes changed for non-conforming structures affected by natural events

8.01(3)B, 8.01(3)C, & 8.35(3)C – Bed & Breakfast CUG and BSO requirements.

Chapter 18 Land Division

18.31(2) & 18.32(3)g – Changing the platting process from 24 months to 36 months to record the plats.

Chapter 35 Property Maintenance Code Changes

35.04(2), (5), & (7), 35.05, 35.05(8), & 35.06(4) – Staff will have the grass cut once on a property in violation and if further complaints are received it will be cut again and fines will increase each time. Director Muenkel questioned how Plan Commission would like to handle vacant lots in subdivisions. Commissioner Burke suggested having a lot cut if it is directly adjacent to a property with an occupancy permit. The Commissioners agreed. Director Muenkel will recommend a change to Council that relates to this discussion.

Commissioner Noah expressed concern with 6.02(6) – for non-conforming structures affected by natural events. Commissioner Noah questioned if the house was burned down by the fire department would it be considered a natural event. Director Muenkel stated he would get an opinion from the City Attorney in the event an issue arises.

Upon a roll call vote, Resolution #P.C. 066-2010 was ADOPTED unanimously.

NEW BUSINESS PLACED ON FILE

None.

MISCELLANEOUS BUSINESS

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Paperless Packets – Director Muenkel presented the agenda and meeting materials using the Ipad. Director Muenkel explained each Commissioner would have an Ipad available at the meeting and the agenda and full packet would be available on line to view before the meeting. Laptops were considered, but the cost was far greater than the Ipads. Director Muenkel suggested waiting to see what the next version has to offer. Commissioner Burke suggested looking for a permanent device because it may be cheaper. It was the consensus of the Commissioners that the Ipad would be a cost savings and would help to be more efficient with staff time.

Mayor Johnson informed the Commissioners that the new Muskego Firestone will be on the cover of a national tire magazine and he applauded the time the owner put into the store. Further, he discussed that the City (Plan Commission and staff) played a large part in making this successful as well.

ADJOURNMENT

Ald. Borgman made a motion to adjourn at 6:40 PM. Commissioner Noah seconded. Upon a voice vote, motion carried. With no further business to come before the Commission, the meeting was adjourned.

Respectfully submitted,

Kellie McMullen
Recording Secretary